IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 5167 of 2007(M)

PETITIONER:

DR. T.M.KURIAN,
ASSOCIATE PROFESSOR, SUGAR CANE RESEARCH STATION,
THIRUVALLA.

BY ADV. SRI.P.V.JAYACHANDRAN
SMT.KEERTHI SOLOMON

RESPONDENTS:

THE REGISTRAR,
KERALA AGRICULTURAL UNIVERSITY, K.A.U. POST,
VELLANIKARA, THRISSUR.

BY SC SRI. RENJITH THAMPAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.5167 OF 2007

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Dated this the 15 th day of February, 2007

JUDGMENT

Prayers in the writ petition are as follows:

> "a) Issue a writ of mandamus or appropriate writs, directions or orders directing the respondent to disburse two advance increment to the petitioner for having Ph.D in service forthwith.
>
> b) Issue a writ of mandamus or appropriate writs, directions or orders directing the respondent to conduct career advancement promotion of the petitioner to the post of Professor in the scale of Rs.16400-22400 and grant the same with effect from 11.12.1997 in 1996 UGC scheme forthwith.

2. Heard counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondent. As far as the prayer relating to conduct of career advancement promotion to the post of Professor is concerned, it is submitted by the learned Standing Counsel that the University will consider the same if the petitioner is eligible for the same.

In such circumstances, there will be a direction to the respondent

to conduct career advancement promotion of the petitioner to the post of Professor under the 1996 UGC Scheme, if the petitioner is legally entitled to the same, as expeditiously as possible, at any rate within a period of three months from the date of receipt of a copy of this judgment.

As far as the first prayer is concerned, the case of the petitioner is covered by the judgment of this court as confirmed in W.A.118 of 2005 and it appears that there is no appeal and it had become final. Standing Counsel however plead paucity of funds.

In such circumstances, there will be a further direction to the respondent to grant two advance increments due to the petitioner as expeditiously as possible at any rate within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.